TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/705,447
Filing Date	11/10/2003
First Named Inventor	Xiao Xu
Art Unit	1632
Examiner Name	to be determined
Attorney Docket Number	ACE-00101.P.1.1-US

Total Number of Pages in This Submission: 6

ENCLOSURES *(Check all that apply)*

- [✓] Fee Transmittal Form
  - [ ] Fee Attached
- [ ] Amendment/Reply
  - [ ] After Final
  - [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [✓] Information Disclosure Statement
- [ ] Certified Copy of Priority Document(s)
- [ ] Reply to Missing Parts/ Incomplete Application
  - [ ] Reply to Missing Parts under 37 CFR 1.52 or 1.53

- [ ] Drawing(s)
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] Petition to Convert to a Provisional Application
- [ ] Power of Attorney, Revocation Change of Correspondence Address
- [ ] Terminal Disclaimer
- [ ] Request for Refund
- [ ] CD, Number of CD(s) _____
  - [ ] Landscape Table on CD

- [ ] After Allowance Communication to TC
- [ ] Appeal Communication to Board of Appeals and Interferences
- [ ] Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- [ ] Proprietary Information
- [ ] Status Letter
- [✓] Other Enclosure(s) (please Identify below):

Remarks

1. Listing of References on Form 1449;
2. 2 Volumes of cited references; and
3. Postcard

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	David R Preston & Associates
Signature	
Printed name	David R Preston
Date	December 14, 2005
Reg. No.	38,710

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

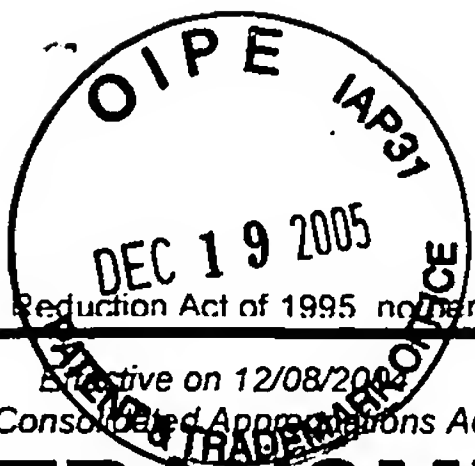|			
Signature			
Typed or printed name	Hal Gibson	Date	December 14, 2005

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005

[✓] Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	($)	0.00

Complete if Known

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METHOD OF PAYMENT (check all that apply)

[ ] Check [ ] Credit Card [ ] Money Order [ ] None [ ] Other (please identify): _____

[✓] Deposit Account Deposit Account Number: 501321 Deposit Account Name: David R. Preston

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

[ ] Charge fee(s) indicated below

[✓] Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

[ ] Charge fee(s) indicated below, **except for the filing fee**

[✓] Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES Fee ($)	Small Entity Fee ($)	SEARCH FEES Fee ($)	Small Entity Fee ($)	EXAMINATION FEES Fee ($)	Small Entity Fee ($)	Fees Paid ($)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee ($)	Fee Paid ($)
_____ - 20 or HP = _____	x _____	= _____	

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee ($)	Fee Paid ($)
_____ - 3 or HP = _____	x _____	= _____	

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims

Fee ($)	Fee Paid ($)
_____	_____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee ($)	Fee Paid ($)
_____ - 100 =	_____ / 50 =	_____ (round **up** to a whole number) x	_____	= _____

4. OTHER FEE(S)

Non-English Specification, $130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

Fees Paid ($) _____

_____

SUBMITTED BY

Signature	Registration No. (Attorney/Agent) 38,710	Telephone 858-724-0375
Name (Print/Type) David R Preston		Date December 14, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	
)	
Xu et al.)	Examiner: To Be Determined
)	
Application No.: 10/705,447)	Art Unit: 1632
)	
Filed: November 11, 2003)	
)	
For: IMPEDANCE BASED DEVICES)	
AND METHODS FOR USE IN)	
ASSAYS)	
)	

Commissioner for Patents
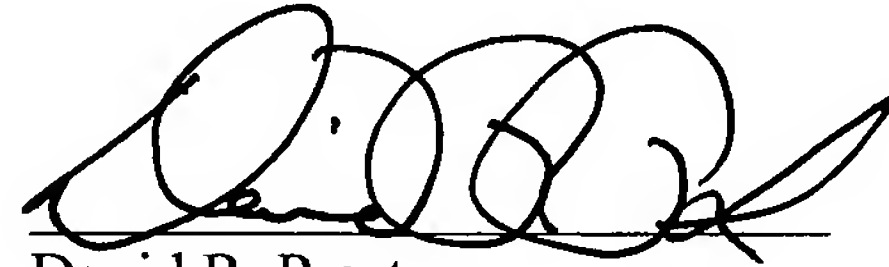Alexandria, VA 22313

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is being filed before the mailing of a First Office Action on the merits under 37 C.F.R. § 1.97(a)(3). Accordingly, no fee under 37 C.F.R. § 1.17(p) is deemed necessary.

Applicants respectfully submit herewith a listing of references on the attached Form 1449 and two (2) volumes of cited references.

Please apply any charges not covered, or any credits, to <u>Deposit Account number 501321</u> in the name of David R. Preston & Associates, having <u>Customer Number 24232</u>.
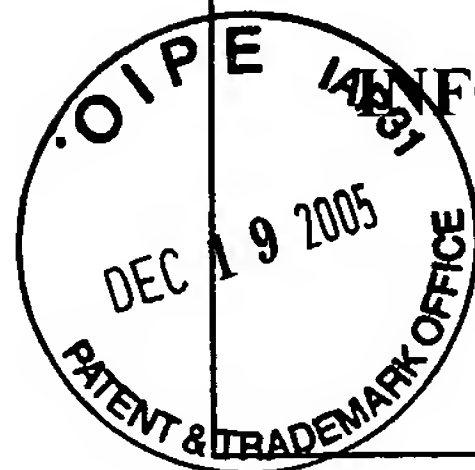
Respectfully submitted,

Date: <u>Dec. 14, 2005</u>

David R. Preston
Reg. No. 38,710

David R. Preston & Associates, APC
12625 High Bluff Drive
Suite 205
San Diego, CA 92130
phone: 858.724.0375
facsimile: 858.724.0384

	INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Docket Number: ACE-00101.P.1.1-US	Application Number: 10/705,447
		Applicant: Xiao Xu	
		Filing Date: November 10, 2003	Group Art Unit: 1632

Stamp: OIPE DEC 19 2005 PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	P1	2003/0032000	02/2003	Liu et al			
	P2	2005/0014130	01/2005	Liu et al			
	P3	USRE38,323	11/2003	Sugihara et al			
	P4	6,368,795	04/2002	Hefti			
	P5	6,376,233	04/2002	Wolf et al			
	P6	6,461,808	10/2002	Bodner et al			
	P7	6,485,905	11/2002	Hefti			
	P8	6,566,079	05/2003	Hefti			
	P9	6,573,063	03/2003	Hochman			
	P10	6,626,902	09/2003	Kucharczyk et al			
	P11	6,627,461	09/2003	Chapman et al			
	P12	6,686,193	02/2004	Maher et al			
	P13	6,716,620	04/2004	Bashir et al			

Examiner Signature		Date Considered	

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FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	Translation	
							YES	NO
	F1	EP 1195432B1	09/2004	EPO				
	F2	01/25769	04/2001	PCT				
	F3	02/04943	01/2002	PCT				
	F4	02/42766	05/2002	PCT				
	F5	03/016887	02/2003	PCT				
	F6	05/005979	01/2005	PCT				

OTHER DOCUMENTS (Including Author, Date, Pertinent Pages, Etc.)		
EXAMINER INITIALS		CITATION
	D1	Bieberich and Guiseppi-Elie, Biosensors and Bioelectronics, 19:923-931 (2004)
	D2	Burnett et al., J. Biomo. Screening, 8(6):660-667 (2003)
	D3	Ciambrone et al., J. Biomo. Screening, 9(6):467-480 (2004)
	D4	Ehret et al., Med. Biol. Eng. Comput. 36:365-370 (1998)
	D5	Ehret et al.,Biosensors and Bioelectronics, 12(1):29-41 (1996)
	D6	Gutmann et al., Pharmaceutical Research, 16(3):402-407 (1999)
	D7	Hug, Assay and Drug Dev. Tech., 1(3):479-488 (2003)

Examiner Signature		Date Considered	

	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
EXAMINER INITIALS		CITATION
	D8	Lin and Huang, J. Micromech. Microeng., 11:542-547 (2001)
	D9	Lin et al., Min. For Chem., Bio., & Bioeng., 4:104-108 (2004)
	D10	Wegener et al., Eur. J. Physiol., 437:925-934 (1999)
	D11	Wolf et al., Biosensors and Bioelectronics, 13:501-509 (1998)
	D12	Xiao and Luong, Biotechnol. Prog., 19:1000-1005 (2003)
	D13	Xiao et al., Anal. Chem., 74:5748-5753 (2002)
	D14	Yamauchi et al., Nuc. Acids Res., 32(22):1-8 (2004)
	D15	Loffert et al., QIAGENNews, 4:15-18 (1997)

Examiner Signature		Date Considered	